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27 Attorneys for Cross-Defendants

18 UNITED STATES DISTRICT COURT  
 19 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 20 (SAN FRANCISCO DIVISION)

22 AUTOMOTIVE INDUSTRIES PENSION )  
 23 TRUST FUND, et al., )  
 24 Plaintiffs, )  
 25 vs. )  
 26 SCIARRONI AUTO BODY, INC., a )  
 27 California corporation, )  
 28 Defendant. )  
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Case No. CV 13 5208 RS  
 ACTION FILED: November 8, 2013  
**STIPULATION FOR VOLUNTARY  
 DISMISSAL WITH PREJUDICE;  
 [PROPOSED] ORDER THEREON  
 [F.R.C.P. Rule 41(a)(1)(A)(ii)]**

1 Counterclaimant, )  
 2 vs. )  
 3 AUTOMOTIVE INDUSTRIES PENSION )  
 TRUST FUND, et al. )  
 4 Counter-Defendants. )  
 5 )  
 6 SCIARRONI AUTO BODY, INC., a )  
 California corporation, )  
 7 Cross-Claimant, )  
 8 vs. )  
 9 INTERNATIONAL ASSOCIATION OF )  
 10 MACHINISTS & AEROSPACE )  
 WORKERS, AFL-CIO, et al. )  
 11 Cross-Defendants. )  
 12 )  
 13 AUTOMOTIVE INDUSTRIES PENSION )  
 14 TRUST FUND, et al, )  
 15 Plaintiffs, )  
 16 vs. )  
 17 SCIARRONI AUTO BODY, INC., a )  
 California corporation, et al, )  
 18 Defendants. )  
 19 )  
 20 SCIARRONI AUTO BODY, INC., a )  
 California corporation, et al. )  
 21 Counterclaimants, )  
 22 vs. )  
 23 AUTOMOTIVE INDUSTRIES PENSION )  
 24 TRUST FUND, et al. )  
 25 Counter-Defendants. )  
 26 )  
 27 SCIARRONI AUTO BODY, INC., a )  
 California corporation, et al. )  
 28 )

Case No. CV 13 5210 RS  
 ACTION FILED: November 8, 2013

1 Cross-Claimants, )  
2 vs. )  
3 INTERNATIONAL ASSOCIATION OF )  
4 MACHINISTS & AEROSPACE )  
5 WORKERS, AFL-CIO, et al., )  
6 \_\_\_\_\_ )  
7 Cross-Defendants. )

7 **STIPULATION**

8 IT IS HEREBY STIPULATED by the parties to this action, through their respective  
9 counsel, that pursuant to the Settlement Agreement and Release ("Settlement Agreement"),  
10 which is expressly incorporated by reference into this Stipulation for Voluntary Dismissal With  
11 Prejudice, this Court dismiss this action with prejudice, with all parties to bear their own costs  
12 and attorneys' fees, and retain jurisdiction over this matter to enforce the Settlement Agreement  
13 should any action be required to enforce the Settlement Agreement after the dismissal is entered  
14 by the Court.

15 IT IS SO STIPULATED.

16 Dated: June 11, 2014 SALTZMAN & JOHNSON LAW CORPORATION

17  
18 By: /s/ Kimberly A. Hancock  
19 KIMBERLY A. HANCOCK  
20 Attorneys for Plaintiffs

21 I, Kimberly A. Hancock, hereby attest, pursuant to N.D. Cal. General Order No. 45, that  
22 the concurrence to the filing of this document has been obtained from each signatory hereto.

23 Dated: May 29, 2014 KAUFMAN DOLOWICH & VOLUCK, LLP

24  
25 By: /s/ Tad A. Devlin  
26 HSIAO C. (MARK) MAO  
27 TAD A. DEVLIN  
28 Attorneys for Defendants

1 Dated: June 10, 2014

WEINBERG, ROGER AND ROSENFELD

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By: /s/ Caren Sencer  
CAREN SENCER  
Attorneys for Cross-Defendants

**ORDER**

Pursuant to the parties' Stipulation and Settlement Agreement, the terms and conditions of which are fully incorporated herein by this reference, and good cause appearing:

IT IS HEREBY ORDERED that this matter is dismissed with prejudice, the parties to bear their own costs and attorneys' fees.

IT IS FURTHER ORDERED that this Court shall expressly retain jurisdiction over this matter to enforce the Settlement Agreement should any action be required to enforce the Settlement Agreement after the dismissal with prejudice is entered by the Court. See generally *Kokkonen v. Guardian Life Ins. Co. of America*, 511 US 357, 381 (1994); *Hagestad v. Tragesser*, 49 F.3rd 1430, 1432 (9th Cir. 1995).

IT IS SO ORDERED.

Dated: 6/12/14



RICHARD SEEBORG  
JUDGE, UNITED STATES DISTRICT COURT